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IDENTICAL LETTERS DATED 17 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 November 1996 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the continuing violations of the territory and airspace of the Republic of Iraq by Turkish armed forces.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Identical letters dated 17 November 1996 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General and the President of the Security Council

I refer to my letter to you of 7 November 1996 concerning continuing violations of the territory and airspace of the Republic of Iraq by Turkish armed forces (S/1996/926, annex) and should like to inform you that, on a variety of pretexts, such forces are still engaging in military operations inside Iraq's territory and in its airspace. The particulars are set forth hereunder.

1. Turkish armed forces have carried out a fresh incursion into Iraqi territory. On 3 November 1996 a Turkish force estimated at reinforced-brigade strength, supported by fighter aircraft and helicopters, penetrated two kilometres inside Iraqi territory along an eight-kilometre front in the Khuwakurk area in the north-eastern part of Dohuk Governorate.

2. In June 1996 a six-man Turkish survey team visited the Zakho district and subdistricts in Dohuk Governorate in order to carry out an exploratory study and gather personal, social, demographic, intelligence and political information on the basis of a special questionnaire. The team also visited areas inside Iraqi territory that had previously been shelled by Turkish forces.

Having informed you of the foregoing, the Government of Iraq lodges a strong protest against it and publicly condemns the action taken by the team in unlawfully infiltrating Iraqi territory and engaging in an operation to collect security and intelligence information by illegal means and in a manner that is incompatible with the principles of good-neighbourliness, the Charter of the United Nations, the norms of international law and the 1926 Iraq-Turkey boundary agreement.

The Government of Iraq reserves its legitimate right under international law to seek compensation for the damage caused by these Turkish violations of its territory and its airspace. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq and to promote the collaboration of the two countries on the basis of those considerations of good-neighbourliness and mutual respect for sovereignty to which Iraq is committed. It will thus be possible to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries and their desire to promote security and stability in the region so as to fulfil their peoples' aspirations for prosperity and progress.

In conveying to you the details of these Turkish violations, the Government of Iraq calls for an immediate and thorough inquiry into the incidents in question. It does so because the practices of the Turkish forces, as represented by their repeated shelling of towns and villages in Iraq and their unlawful incursions into Iraqi territory, are in flagrant violation of Iraq's sovereignty and the inviolability of its territory and airspace, just as they are incompatible with relations of good-neighbourliness, the Charter of the

United Nations, the norms of international law and the 1926 Iraq-Turkey boundary agreement. These practices may also undermine stability in the region as a whole, which is suffering primarily from the anomalous situation created by the Americans and their allies in northern Iraq. There is also, of course, the human suffering inflicted on Iraqi citizens by the unlawful activities of the Turkish armed forces and their military operations inside Iraqi territory.

Iraq has on many occasions in the past alerted its Turkish neighbours to the consequences of allowing the anomalous situation in northern Iraq to continue. The retention of the forces involved in the so-called "Operation Poised Hammer" in Turkish territory on various pretexts has been nothing more than a cover for the perpetration of acts of aggression against Iraq and for interference in its internal affairs.

Iraq urges the United Nations to meet its responsibilities as laid down in the Charter and to halt the intimidation and aggression to which the country is constantly being subjected.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq